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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,684	01/04/2002	Drue A. Reeves	COMP:0231 P01-3582	8296

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Intellectual Property Administration
Legal Department, M/S 35
P.O. Box 272400
Ft. Collins, CO 80527-2400

EXAMINER

MOFIZ, APU M

ART UNIT	PAPER NUMBER
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2165

DATE MAILED: 09/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/037,684

Applicant(s)

REEVES ET AL.

Examiner

Apu M. Mofiz

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-29 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 04 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection in this Office action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Spencer et al., Installing and Configuring Active Directory, Prentice Hall PTR, pages 1-33 (referred to hereinafter as Spencer).

As to claims 1, 10, 17 and 22, Spencer teaches a method of remote control for a networked device, comprising the acts of: receiving a request for a session with the networked device from a remote interface, wherein the networked device comprises a server; redirecting the request from the networked device to a directory server, the directory server comprising user logins and different access rights for a plurality of authorized users; providing a plurality of device control features for the networked device in the directory server, wherein the plurality of device control features include a

first feature for configuring parameters of the networked device and a second feature for executing a control task at the networked device; and controlling access to the device control feature based on the user logins and different access rights for the plurality of authorized users (i.e., *"Microsoft's Active Directory is a directory service that is integrated with Windows 2000 Server. ... The LDAP software protocol allows anyone to locate organizations, individuals, and other resources, such as files and devices, in a network, whether on the Internet or on a corporate intranet. ... An LDAP directory has a simple tree hierarchy consisting of the following levels: ... Individuals, including people, files, and shared resources such as printers. ... As shown in Figure 2, Windows 2000 tightly integrates Active Directory and offers traditional file and print, applications, communications, and Internet/intranet support in the base product. Along with the many other features of Windows 2000 Server. Active Directory makes it the best file and print server for all information and resources sharing needs, ... The Active Directory's rich set of protocols, APIs, and supported object formats define the openness of the directory. The APIs define the range of tools and applications that directly take advantage of the directory service. Typically, directory service have been a tool for organizing, managing, and locating useful objects in a computing system. These useful objects are resources such as printers, documents, e-mail addresses, database users, distributed components, and other resources that users and applications need to do their jobs, as shown in Figure 5. ... Using the Directory as a Service Provider: Aside from executing typical administrative tasks of directory services. Active Directory can provide a wide variety of naming, query, administrative, registration, and resolution needs. Figure 6 illustrates the overall function of such a system. ... The Active Directory supports access through LDAP from any LDAP-enabled client. ... Windows 2000 Active Directory has APIs integrate into its code that allow communication with other directories. Active Directory can exchange information with any application or directory that has LDAP or other key X.500 protocols ... The schema defines the universe of objects that the directory can store. For each object class, the schema defines the attributes*

that an instance of the class must have, additional attributes it can have, and what object class can be a parent of the current object class ... Active Directory also provides the interoperability necessary to efficiently manage resources during migrations and systems upgrades. ... Active Directory stores the schema in the directory. This has many advantages, such as user applications that can read the schema to discover what objects and properties are available. In addition, the program can dynamically update the schema. Creating or modifying the schema objects in the directory accomplishes schema updates. Note that only authorized users can alter the schema. Access control lists (ACLs) protect the schema objects. ... The administration model enables authorized users to perform administration in the Active Directory. A higher authority authorizes the Active Directory user to perform a specific set of actions on a specific set of objects and object classes in a subtree of the directory." The preceding text excerpts clearly indicate that **Microsoft Active Directory is active as the name implies**. The Active Directory is LDAP enabled **hierarchical** directory, which contains schema objects such as users, printers, print servers, applications etc. (See Fig. 1 and 2). Any LDAP enabled client can communicate to the Directory through Active Directory APIs (see Fig. 6). The schema objects have properties/parameters about the objects. For example, for a print server object, the schema would contain server controls e.g., who is authorized to print in which printers and so on. The schema object would also contain configuration information e.g., which printer objects belongs to which print server object (The administrator can store any print server i.e. a networked device related information (**i.e., server controls, configuration parameters, device controls, device control features etc.**) in the print server schema object through the Active Directory Manager. See Fig. 1. **The lists of intended use of the Active Directory can't be a patentable subject matter** (The following is quoted from MPEP:

Intended Use

In response to applicant's argument that [1], a recitation of the intended use of the

claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963)). Therefore a user request for printing to a particular printer would go to the **print server/ a networked device/ a headless server**. The print server would request the Active Directory Server for the print server controls of the user print request (i.e., server controls are information that is required by the print server and the print server administrator can store any relevant information including server controls or configuration information that is required to print, in the print server schema object provided that the administrator has the proper authorization. The detail listing of the parameter/features/information is nonfunctional descriptive data, which is configurable by the administrator and also depend on the particular device e.g., a print server. **The lists of intended use of the Active Directory can't be a patentable subject matter.**) The Active Directory stores all of the relevant information about the print server schema object and communicates/ transmits to the print server to do its required job i.e., to execute the print job. The Similar examples are true for e-mail, sql server or any other application. **Authorized users e.g., users, applications, computers, servers etc. can interact with the directory through interfaces.** The Access Control Lists (ACLs) control access to the schema objects. **The administrator with proper authorization can perform system upgrades, installation through Active Directories.** Finally, once again, the Active Directory is actually active as the name implies. **Active Directory is also used as a service provider unlike the applicant's argument.** Any LDAP enabled application with proper authorization can interact with the Directory and request/retrieve any information that is stored in the properties of the schema object including device control features, configuration information, server controls that enables it to perform the required job. The

listing of a particular types of information is not a patentable subject matter. The Active Directory can actively communicate to various users, applications, servers, computers, printers, print servers or even another directory.

The Applicant argues that the printer itself is not configured by the information. The administrator can store/modify any printer or a print server configuration information in the properties of the printer or a print server schema object and thereby changing the configuration of the print server or a printer as the print server or the printer uses these information to perform it's required job. The Active server transmits server controls (i.e., server control information that is stored by an administrator, an authorized user or an application in the properties of the server schema object) as shown in the above text excerpts or Fig.6 to the server, **which enables the server to perform the required job (i.e., for a print server to execute a print job in a printer. The Active Directory manages the print server and therefore controls a plurality of networked printers.)** Again the Applicant is merely claiming **intended use of the Microsoft Active Server.)** (pages 1-33).

As to claims 2-9, 11-16, 18-20 and 23-29, the limitations of these claims are either rejected or addressed in the rejected claims above.

Points of Contact

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Apu M. Mofiz whose telephone number is (571) 272-4080. The examiner can normally be reached on Monday – Thursday 8:00 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached at (571) 272-4146. The fax numbers for the group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

A handwritten signature in black ink, appearing to read 'Apu M. Mofiz', with a stylized flourish at the end.

Apu M. Mofiz
Primary Patent Examiner
Technology Center 2100

August 30, 2005